

REMARKS/ARGUMENTS

The above-identified patent application has been amended and Applicant respectfully requests the Examiner to reconsider and again examine the claims as amended.

Claims 1-15 are pending in the application. Claims 6 and 7 are allowed. Claims 1-5 and 8-15 are rejected. Claims 1, 3-10, and 12-13 are amended herein.

Claims 1, 3, 5-10, and 12-13 are amended herein merely to improve definiteness and to provide strict antecedent basis in accordance with 35 U.S.C. §112, second paragraph. In so amending, Applicant submits that no further limitations are added to Claims 1, 3, 5-10, and 12-13. Similarly, Claim 4 has been amended herein to improve definiteness and to provide strict antecedent basis in accordance with 35 U.S.C. §112, second paragraph. In so amending, except as noted in the Remarks below, Applicant submits that no further limitations have been added to Claim 4.

In accordance with the revised provisions of 37 C.F.R. §1.121(c) as set forth in Official Gazette Notices: 25 February 2003, a marked up version of the amended claims is provided hereinabove.

As an initial matter, Applicant does not find that the below-identified information disclosure statement forms have been initialed, signed, and returned to the Applicant, and respectfully requests that the Examiner provide initialed and signed copies. Please note below that there were three electronic submissions on September 13, 2002, each containing different listings.

- 1) Filed with Certificate of Mailing dated June 17, 2002
- 2) Filed electronically (confirmation number 2725) on September 13, 2002
- 3) Filed electronically (also confirmation number 2725) on September 13, 2002
- 4) Filed electronically (again confirmation number 2725) on September 13, 2002

The Rejections Under 35 U.S.C. §102(a) and/or (e)

The Examiner rejects Claims 1-5 and 8-15 under 35 U.S.C. §102(a) and/or (e) as being anticipated by Mercier et al. (French patent application number 2,709,834). The Examiner asserts that Mercier et al. shows "...a near object detection systems....including...a plurality of radars (2 in Figure 1) on a vehicle which provide detection coverage in a 'predetermined coverage zone'." The Examiner also asserts that each of the sensors of Mercier et al. "...is processed via a digital signal processor 7...which 'shares' information from each of the plurality of sensors... ."

Applicant submits that Claim 1 is patentably distinct over Mercier et al., since the cited reference neither describes nor suggests that the "...processor includes a target tracker portion adapted to maintain track information from a plurality of targets with the track information being generated from the range cell data provided by the one or more of said plurality of sensors....," as set forth in amended Claim 1.

"Track information" (or more simply a "track"), as presented in Claim 1, is understood by one of ordinary skill in the art to include data representing a position of an object over time (e.g. spatial angles, range and range rate).

In contrast, Mercier et al. provides a memory 8, for which "...there is associated one elementary cell 9 of the environment of the vehicle. The content of each one of its memory elements represents the probability that any one particular cell, localized by its sight angle and its distance in relation to the vehicle, contains an obstacle..." (translation, page 5, tenth paragraph, emphasis supplied). Thus, Mercier stores a probability value related to distance and angle between the detected object and a radar. Applicant submits that Mercier et al. neither describes nor suggests "...a target tracker portion adapted to maintain track information from a plurality of targets with the track information being generated from the range cell data provided by the one or more of said plurality of sensors..." as called for in Claim 1.

In view of the above, Applicant submits that Claim 1 is patentably distinct over Mercier et al.

Claims 2-3 and 8-15 depend from and thus include the limitation of Claim 1. Thus, Applicant submits that Claims 2-3 and 8-15 are patentably distinct over Mercier et al. generally for the reasons discussed above in conjunction with Claim 1.

Applicant has amended Claim 4 to include a processor having a target tracker portion. Applicant submits that Claim 4 is patentably distinct over the cited references whether taken separately or in combination since the references neither describe nor suggest "...a plurality of sensors disposed about a perimeter of the vehicle [and] ... providing data associated with a range cell in a respective one of a plurality of predetermined coverage zones ... and ... a processor [which] includes a target tracker portion adapted to maintain track information from a plurality of targets with the track information being generated from the range cell data provided by the one or more of said plurality of sensors..." as called for in Claim 4. (emphasis supplied).

In view of the above, Applicant submits that Claim 4 is patentably distinct over Mercier et al.

Claim 5 depends from and thus include the limitation of Claim 4. Thus, Applicant submits that Claims 5 is patentably distinct over Mercier et al. generally for the reasons discussed above in conjunction with Claim 4.

In view of the above, Applicant submits that the rejection of Claims 1-5 and 8-15 under 35 U.S.C. §102(a) and/or §102(e) should be removed.

In view of the above amendment and remarks, Applicant submits that Claims 1-15 and the entire case are in condition for allowance and should be sent to issue and such action is respectfully requested.

Appl. No. 09/931,631  
Reply to Office Action of July 14, 2003

Docket No. RTN-108AUS

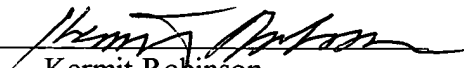
If the Examiner has any questions regarding this Amendment or this application, he or she is respectfully invited to telephone the undersigning attorney.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,

Dated: Nov 13, 2003

DALY, CROWLEY & MOFFORD, LLP

By:   
Kermit Robinson  
Reg. No. 48,734  
Attorney for Applicant(s)  
275 Turnpike Street, Suite 101  
Canton, MA 02021-2354  
Tel.: (781) 401-9988, ext. 24  
Fax: (781) 401-9966

Q:\rtn\108aus (00E100 - delcheccolo)\rtn-108aus resp to OA of 2003 07 14 as filed on 2003 11 12.doc